

# SENATE BILL REPORT

## HB 1999

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As Reported By Senate Committee On:  
Transportation, March 31, 2005

**Title:** An act relating to clarifying civil liability for traffic infractions when vehicle title is transferred.

**Brief Description:** Clarifying civil liability for traffic infractions when vehicle title is transferred.

**Sponsors:** Representatives Nixon, Flannigan, McDonald and Wood.

**Brief History:** Passed House: 3/10/05, 94-0.

**Committee Activity:** Transportation: 3/23/05, 3/31/05 [DPA].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended.

Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Swecker, Ranking Minority Member; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel and Weinstein.

**Staff:** Kelly Simpson (786-7403)

**Background:** Under current law, a vehicle owner who makes a bona fide sale or transfer of a vehicle, and has delivered possession of it to a purchaser, is not subject to civil or criminal liability for the operation of the vehicle after the sale or transfer if the previous owner fulfilled certain administrative requirements.

**Summary of Amended Bill:** A vehicle owner who makes a bona fide sale or transfer of a vehicle and fulfills the administrative requirements is relieved of liability for certain traffic violations, both civil or criminal, that are based on the vehicle's identification occurring after the date of the sale or transfer. The traffic violations specified in the bill include examples such as parking infractions, high-occupancy toll lane violations, and violations recorded by automatic traffic safety cameras. Liability for the traffic violations occurring after the date of a sale or transfer is transferred to the purchaser of the vehicle.

In the event a traffic infraction is based on a vehicle's identification, and the vehicle's registered owner is a rental car business, the business has 30 days before receiving a notice of infraction to submit to the issuing law enforcement agency (1) a sworn statement stating the name and address of the driver or renter of the vehicle when the infraction occurred; or (2) a sworn statement that the business is unable to determine who was driving or renting the vehicle when the infraction occurred. Timely mailing of the statement relieves the business of any liability for the infraction. Alternatively, the rental car business may pay the applicable penalty in lieu of identifying the vehicle operator.

**Amended Bill Compared to Original Bill:** The amendment establishes a procedure under which a rental car business may address certain traffic infractions that occurred while a business's vehicle was being rented.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** None.

**Testimony Against:** None.

**Who Testified:** No one.